

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO

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ALKARIM PIRBHAI LAKHANI,

Petitioner,

vs.

MIKE O'LEARY, *et al.*,

Respondent.  
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CASE NO. 1:08-CV-2355

OPINION & ORDER  
[Resolving Doc. No. [47](#)]

JAMES S. GWIN, UNITED STATES DISTRICT JUDGE:

This matter is before the Court on Petitioner Alkarim Lakhani's September 22, 2010 motion to show cause and hold in contempt Respondent Mike O'Leary, Supervisory Detention & Deportation Officer with the United States Department of Homeland Security. [[Doc. 47](#).] Petitioner says the Respondent has failed to give "[Petitioner Lakhani] an individualized bond hearing," [[Doc. 47 at 1](#)], which the Court had ordered in its August 16, 2010 opinion and order granting the Petitioner's habeas petition. [[Doc. 39](#).]

Before Petitioner filed the instant motion for contempt, however, the Court, upon motion of Respondent and with new evidence that the Petitioner's detention was no longer in violation of [8 U.S.C. § 1226](#), vacated its August 16 order granting relief and instead dismissed Petitioner's habeas petition. [[Doc. 46](#).] Thus, while the Court does have the inherent power to enforce compliance with its lawful orders, *see Shillitani v. United States*, 384 U.S. 364, 370 (1966), there exists here no order

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for the Court to enforce. Accordingly, because the Petitioner seeks to hold the Respondent in contempt for failing to comply with a order that has since been vacated, the Court **DENIES** Petitioner's motion as moot.

IT IS SO ORDERED.

Dated: February 28, 2011

s/ *James S. Gwin*  
JAMES S. GWIN  
UNITED STATES DISTRICT JUDGE